

Patent  
Attorney Docket No. 017751-030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Bruno Criere et al.

Application No.: 10/030,262

Filing Date: April 17, 2002

Title: PHARMACEUTICAL COMPOSITION CONTAINING FENOFIBRATE AND THE PREPARATION METHOD

Group Art Unit: 1615

Examiner: LAKSHMI SARADA CHANNAVAJJA

Confirmation No.: 8894

FIFTH  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a FIFTH Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☒ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL PC

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Alexandria, Virginia 22313-1404  
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Date: October 21, 2005

By

  
Brian P. O'Shaughnessy  
Registration No. 32,747



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Bruno Criere et al.

Application No.: 10/030,262

Filed: April 17, 2002

For: PHARMACEUTICAL COMPOSITION  
CONTAINING FENOFIBRATE AND  
THE PREPARATION METHOD

)  
)  
) Group Art Unit: 1615  
)  
) Examiner: LAKSHMI SARADA  
) CHANNAVAJJALA  
)  
) Confirmation No.: 8894  
)

**FIFTH INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

A fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is enclosed.

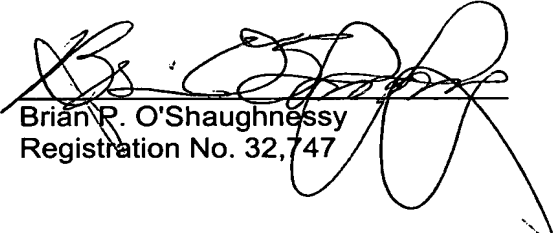
To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

10/24/2005 HAL111 00000078 10030262  
01 FC:1806 180.00 0P

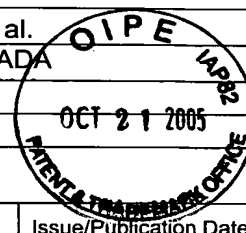
BUCHANAN INGERSOLL PC (INCLUDING ATTORNEYS FROM  
BURNS DOANE SWECKER & MATHIS)

Date October 21, 2005

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Substitute for form 1449A/PTO & 1449B/PTO			<b>Complete if Known</b>		
<b>FIFTH INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <small>(use as many sheets as necessary)</small>			Application Number	10/030,262	
			Filing Date	April 17, 2002	
			First Named Inventor	Bruno Criere et al.	
			Examiner Name	LAKSHMI SARADA	
Sheet	1	of	1	Attorney Docket Number	017751-030



U.S. PATENT DOCUMENTS				
Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	4,752,470		Mehta	06-21-1988
	4,717,569		Harrison et al.	01-05-1988
	5,145,684		Liversidge et al.	09-08-1992
	4,412,986		Kawata et al.	11-01-1983
	3,914,286		Mieville	10-21-1975
	4,058,552		Mieville	11-15-1977
	5,776,495		Duclos et al.	07-07-1998

FOREIGN PATENT DOCUMENTS											
Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec
	EP 793 958	A2	EP	09-10-1997	X						
	WO 98/31360		PCT	07-23-1988							
	WO 82/01649		PCT	05-27-1982							
	EP 0164 959		EP	12-18-1985							
	WO 96/01621		PCT	01-25-1996							
	EP 012523		EP	06-25-1980							

NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	A. Munoz et al., "Micronised Fenofibrate", <i>Atherosclerosis</i> <b>110</b> (Suppl.) (1994) S45-S48, Elsevier Science, Ireland
	D.F. Temeljotov et al., "Solubilization and Dissolution Enhancement for Sparingly Soluble Fenofibrate", <i>Acta Pharm.</i> <b>46</b> (1996) 131-136
	I. Ghebre-Sellassie "Pellets: A General Overview", <i>Pharmaceutical Pelletization Technology, Drugs and the Pharmaceutical Sciences</i> , <b>37</b> , pp. 2, 3, 234, edited by Isaac Ghebre-Sellassie, Marcel Dekker, Inc. NY NY
	R. Bianchini et al., "Influence of Drug Loading on Coated Beads Release Using Air Suspension Technique", <i>Boll. Chim. Farmaceutico</i> , <b>128</b> Dec. 12, 1989, pp. 373-379
	Dr. Bernhard Luy, "Methods of Pellet Production", Presented at Glatt Symposium, Strasbourg, Oct. 1992, pp. 1-12, with curriculum vitae
	A. Kuchiki et al., "Stable Solid Dispersion System Against Humidity", <i>Yakuzaigaku</i> <b>44</b> (1) 31-37 (1984) pp. 1-13
	JP Guichard et al., "A New Formulation of Fenofibrate: Suprabioavailable Tablets", <i>Current Medical Research and Opinion</i> <b>16</b> (2) (2000) pp. 134-138, Laboratoires Fournier, France

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.